

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD INTERCHANGE  
FEE AND MERCHANT DISCOUNT  
ANTITRUST LITIGATION**

**This Document Relates to:**

***Visa U.S.A. Inc., et al. v. Sears Holdings Corp.*, No. 14-cv-06450 (E.D.N.Y.) (MKB) (VMS).**

**No. 05-md-01720 (MKB) (VMS)**

**PLAINTIFFS' STIPULATION AND  
ORDER OF DISMISSAL WITH  
PREJUDICE OF ALL CLAIMS**

WHEREAS plaintiffs Visa U.S.A. Inc., Visa Inc., and Visa International Service Association (“Plaintiffs”), which are the only plaintiffs in the action *Visa U.S.A. Inc., et al. v. Sears Holdings Corp.*, No. 14-cv-06450 (E.D.N.Y.), which action is included in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, No. 1:05-md-01720 (E.D.N.Y.), having fully settled all of their claims against the defendant in the *Visa U.S.A.* action — i.e., Elgin Ave. Recovery, LLC, as successor in interest to Sears Holdings Corporation (the “Defendant”) — by and through their undersigned counsel, hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a), that the Plaintiffs’ claims and action against the Defendant be dismissed with prejudice, and with each side to bear its own attorneys’ fees and costs, provided that the Court retains continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties’ settlement agreement or this Stipulation and Order of Dismissal, or their applicability to any suit, action, proceeding, or dispute.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that (1) the Court will retain continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties’ settlement agreement or this Stipulation and Order of Dismissal, or their applicability to any suit, action, proceeding, or dispute, and (2) the claims and action of the

Plaintiffs be and hereby are dismissed with prejudice, with each side to bear its own attorneys' fees and costs.

Dated: November 17, 2022.

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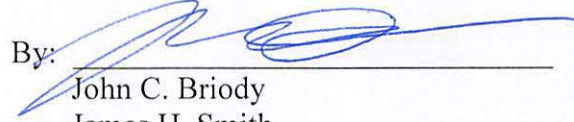
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*Attorneys for Plaintiff Elgin Ave. Recovery, LLC*

**SO ORDERED:**

Dated:

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Brooklyn, New York

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United States District Judge